



RIGHT TO INFORMATION ACT – 2005: A REVIEW

Dr. Kopperla Sreenivasulu¹, Prof. B. V. Raghavulu²

¹M.Sc., M.A., [Litt.], M.Ed., PGCTE., M.Phil., Ph.D., [Edn], Assistant Commissioner, Special Enforcement Bureau, Ananthapuramu, Andhra Pradesh, India.

²M.A., M.Phil., Ph.D., Head, Department of Political Science and Public Administration, Sri Krishnadevaraya University, Ananthapuramu, Andhra Pradesh, India.

RIGHT TO INFORMATION:

The Right to information or the right to freedom of information refers to an individual's right or freedom to seek public information. It is information means any material relating to the affairs, administrative or decision of a public authority. It is mandatory that the flow of the information must be free.

The great democratizing power of information has given us all the chance to effect change and alleviate poverty in ways we cannot even imagine today. Right to information is a weapon to bring good governance in the country.

It is true that right to information proved to be a tool in a great democracy to provide its citizens a functional transparency of the governance. The tool in the form of 'right to information' is available for every citizen of India. It is necessary to know the applicability of the Right to Information Act.

It is fact that after the Constitution of India, it is the only enactment interpreted by judiciary in its little age. Another necessity to know about the Right to Information Act is that it is a complete code in itself.

Hon'ble Delhi High Court held that information is currency that every citizen requires to participate in the life and governance of the society.

In any democratic polity, greater the access, greater will be the responsiveness, and greater the restrictions, greater the feeling of powerlessness and alienation.

The Information is the basis for knowledge, which provokes thought, and without thinking process, there is no expression. James Madison said.

The knowledge will forever govern ignorance and a people who mean to be their own governors must arm themselves with the power knowledge gives.

Procedure for Access to Information:

Section 6 postulates that a person who desires to obtain any information under the Act shall make a request in writing or through electronic means to the authorities specifying the particulars of the information sought by him.

Hon'ble Calcutta High Court:

Section 6 of the Act prescribes the procedure for accessing to information held by public authority. Any citizen making the request is now obliged to explain why the information is needed. The Act specifies time frame for complying with the request. The Public Information Officer has to furnish the information within the stipulated time.

If not furnishing within stipulated time, then it will be treated as refusal of information. The Public Information Officer will be personally liable for penalty in delaying the information, but this power is only with the appropriate information Commission.

Where to make the request for information? If any citizen wants to make a request for seeking any information from public authority, first of all, the applicant should know that to whom he has to make the request. Under this Act public authorities are classified into two categories, namely, Central and State authorities.

There is no hierarchy between them; both are separate in their function. Sub-clause (3) of Section 5 of the Act, says that every Public Information Officer (Central or State) shall deal with requests from persons seeking information and render reasonable assistance to the persons seeking such information.

Public Information Officers (PIO):

Public authority has to designate PIOs According to Section 5(1) of the Act, every public authority shall, within one hundred days of the enactment of this

Act, designate as many officers as the Central Public Information Officers (CPIOs) or State Public Information officers (SPIOs), as the case may be, in all administrative units or offices under.

It as may be necessary for providing information to the person requesting for the information under this Act. Public authority also has to designate APIOs. According to Section 5(2) of the Act, every public authority shall designate an officer, within one hundred days of the enactment of this Act, at each sub-divisional level or other sub-district level as a Central Assistant Public Information Officer (CAPIO).

The State Assistant Public Information Officer (SAPIO), as the case may be, to receive the applications for information and appeals under this Act for forwarding the same forthwith to the CPIO or the SPIO or senior officer specified under sub-section (1) of Section 19 or the Central Information Commission or the State Information Commission, as the case may be.

The Allahabad High Court has observed that the Act obligates every public authority as defined in Section 2(h), to designate as many officers, as Public Information Officers, in all administrative units or office under it as maybe necessary to provide information to persons requesting for the information under Section 5 of the Act.

PIO may seek assistance of other officers:

Section 5(4) of the Act empowers the PIO to seek the assistance of any other officer as he or she considers it necessary for the proper discharge of his or her duties. The Central Information Commission held.

If such alternative options are available to CPIO, his rejecting the RTI-application on the ground of non-availability of information does not seem justified given the circumstances of the case. CPIO is required under Section 5(3) of the Act to render reasonable assistance to the persons seeking such information, which presupposes application of mind regarding where the information can be located.

It can be accessed. PIO is accordingly directed to ensure, by invoking the provisions of Sections 5(4) or 6(3) of the Act, that a response is provided to the appellant regarding the information asked for by him within three weeks from the date of receipt of this decision.

According to sub-section (5) of Section 5, any officer, whose assistance has been sought by CPIO/SPIO, shall render all assistance to the CPIO/SPIO, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Public Information Officer.

Request for obtaining information:

Mode and language of the Application for information: According to Section 6 of the Act, a person, who desires to obtain any information under this Act? It shall make a request in writing or through electronic means in English, Hindi and in the official language of the area.

The application is being made; accompanying such fee as may be prescribed. The Section also provides that where such request cannot be made in writing, the CPIO/ SPIO shall render all reasonable assistance to the person making the request orally to reduce the same in writing, Application to whom.

It is application for requesting information may be made to The CPIO or CAPIO in case of Central Public Authority and The SPIO or SAPIO in case of State Public Authority.

Particulars of sought information: Application shall specify the particulars of the information sought by the applicants. Reason for request is not necessary. An

applicant making request for information shall not be required to give any reason for requesting the information and any other personal details except those that may be necessary for contacting him⁵.

Transfer application to appropriate authority:

According to Section 6(3), where an application is made to a public authority requesting for an information:

- It is held by another
- The subject-matter of which is more closely connected with the functions of another public authority.

The public authority, to which such application is made, shall transfer the application and such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer.

Transferred informant may have five days extra. The proviso of the Section further says that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

Application for seeking information (How to apply?):

There is no format of application for seeking information. The application can be made on plain paper. The application should, however, have the name and complete postal address of the applicant. Even in cases where the information is sought electronically.

The application should contain the name and postal address of the applicant. Still, some of the States through their Rules have given specimen application for the person seeking the information to maintain uniformity of the contents of the application and to remove the ambiguity in the applications.

It such specimen is not binding in nature; applicant can make it in its own way. According to Rule 3 of the Gujarat RTI Rules, 2010, a person who desires to obtain information shall make an application in a prescribed Form or in a healthy typed and handwritten application.

It is containing all essential details described in a prescribed Form accompanying with the prescribed fees or through the e-media to the Public Information Officer of the concerned Public Authority.

A person applying through the e-media shall have to pay the fees within seven days from the date of application, failing which the application shall be treated as withdrawn.

Fees and charges for obtaining information:

Every application seeking to obtain information shall be accompanied by the prescribed fees. It is exercise of the powers conferred by clauses (b) and (c) of sub-section (2) of Section 27 of the Right to Information Act, 2005.

The Central Government has framed the Right to Information (Regulation of Fee and Cost) Rules, 2005, according to which a request for obtaining information shall be accompanied by an application fee of rupees ten (Rs. 10). In Gujarat it is Rs.20.

No fees for BPL Family:

Fees shall not be payable by a person belonging to the Below Poverty Line (BPL) families; if such person encloses with the application a certified copy or a true copy of the Below Poverty Line Card or a certificate issued in that behalf by the concerned authority.

The fee or charges for providing information shall be charged by the Accounts Officer of the public authority at the following rates:

- Rupees two for each page (in A-4 or A-3 size paper) created and copied.
- Actual charge or cost price of a copy in large size paper.
- Actual cost price for samples or models; and
- It is inspection of records, no fee for the first hour; and a fee of rupees five for each fifteen minutes.
- The fraction thereof thereafter for information provided in diskette or floppy rupees fifty per diskette or floppy.
- It is information provided in printed form at the price fixed for such publication or rupees two per page of photocopy for extracts from the publication.

The Public Information Officer shall inform the applicant regarding other fees and charges to be paid as provided therefore.

According to Section 7(5) of the Act, where access to information is to be provided in the printed or in any electronic format, the applicant shall pay such fee or charges as may be prescribed in this behalf. But, the fee shall be reasonable and no such fee shall be charged from the persons who are of BPL as may be determined by the appropriate Government. No fee, if authority fails to comply time limits.

Section 7(6) of the Act says that the person making request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits.

Mode of payment of fees:

It is According to the Right to Information (Regulation of Fee and Cost) Rules, 2005. The fees and charge for providing information may be received:

- By way of cash against proper receipt.
- By demand draft, or bankers cheque, or Indian Postal Order payable to the Accounts Officer of the public authority.

The Gujarat Government had substituted its Eight to Information Rules, 2005 by the Gujarat Right to Information Rules of 2010 most probably.

It provides maximum modes of payment of fees and charges for obtaining information, which is dynamic and citizen friendly. According to these Rules, the prescribed fees shall be paid:

- In cash wherever facility for cash receipts available, or
- By Demand Draft.
- It is Pay Order, and
- In the form of Non-Judicial Stamp or Non-Judicial Stamp Paper.
- Stamping through Franking or Electronic Stamping.
- Court fee Stamp or Judicial Stamp Paper.
- Indian Postal Order or Revenue Stamp.
- The Challan credited in the Government Treasury through authorized banks in the budget head 0070-other administrative services, 60-other services, 800-other receipt, (17)- fees and other charges under these rules.

The fees and charges paid by demand draft or by pay order or by Indian postal order shall be duly crossed and shall be drawn in favour of Government of Gujarat or, as the case may be, the concerned Public Authority.

Disposal of request:

The CPIO/SPIO on receipt of a request for information shall, as expeditiously as possible, but shall not exceed the time limitation as provided by the Act and limitation starts from the receipt of the request.

It is information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

The information is pertaining to the third party, before taking any decision the Public Information Officer shall take into consideration the representation made by a third party under Section 11. The Public Information Officer can dispose of the request in the following manners. Provide information:

The PIO has to provide the information on payment of such fee as may be prescribed. Where the information sought for concerns the e or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request.

It is According to Section 7(4) of the Act, where access to the record or a part thereof is required to be provided under this Act and the person to whom access is to be provided is sensorily disabled, the CPIO/ SPIO shall provide assistance to enable access to the information, including providing such assistance as may be appropriate for the inspection.

Reject the request with reasons:

The PIO may reject the request for any of the reasons specified in Section 8 (exemption from disclosure) and Section 9 (would involve in infringement of copyright). According to Section 7(8) of the Act, where a request has been rejected, the PIO shall communicate to the person making the request:

- The reasons for such rejection.
- The period within which an appeal against such rejection may be preferred; and

- The particulars of the appellate authority.

According to Section 9 of the Act, without prejudice to the provisions of Section 8 (exemption from disclosure), a Public Information Officer may reject a request for information where such a request for providing access would involve an infringement of copyright subsisting in a person other than the State.

The two Judges are Bench of Kerala High Court disposed of the writ Appeal with some directions. The Court directed the Appellant-Bank to furnish information to the respondent, regarding the transfers made by the Bank in respect of the clerical staff to Ernakulam District for the period from 2002 to 2006 within in a month's time, from the date of order.

The Bank will also provide the guidelines for effecting transfer of the clerical staff, if such guidelines are available with them.

The Gujarat High Court has given a harsh judgment, where the Court directed the citizen applicant (Mr. Rasiklal Mardia) not to make case of said information for any purpose whatsoever. The Court said that the Gujarat State Information Commission is hereby restrained from proceeding further with application preferred by Mr. Rasiklal Mardia under Section 18 of the Act, being Complaint.

PIOs are hereby directed not to entertain any applications preferred at the instance of Mr. Rasiklal Mardia under the provisions of the Act, concerning the petitioner. Its group Companies for imparting or 'disclosing information to Mr. Rasiklal Mardia, without following due procedure under the Act.

In compliance with the aforesaid directions given in the aforesaid paras of this judgment nor any such applications shall be proceeded further by PIOs, except after following provisions of the Act, and interpretation thereof made hereinabove, in this judgment. Rule made absolute in both the petitions. Transfer the application to appropriate Authority.

Where an application is made to a public authority requesting for an information:

- It is held by another public authority.
- The subject-matter of which is more loosely connected with the functions of another public authority,

The public authority, to which 'such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer. Partial disclosure of the information:

In terms of Section 10 of the Act, only that part of the record which does not contain any information which is exempt from disclosure and which can reasonably be severed from any part that contains exempt information, may be provided. Non-protective part of the information should be released.

It is request for access to information is rejected on the ground that it is in relation to information which is exempt from disclosure, then, notwithstanding anything contained in this Act, access may be provided to that part of the record which does not contain any information.

It is exempt from disclosure under this Act and which can reasonably be severed from any part that contains exempt information. Where access is granted to a part of the record, the Public Information Officer shall give a notice to the applicant, informing:

- That only part of the record requested, after severance of the record containing information which is exempt from disclosure, is being provided.
- The reasons for the decision including any findings on any material question of fact, referring to the material on which those findings were based.
- The name and designation of the person giving the decision.
- The details of the fees calculated by him or her and the amount of fee which the applicant is required to deposit.
- It is rights with respect to review of the decision regarding non-disclosure of part of the information.

The amount of fee charged or the form of access provided, including the particulars of the senior officer specified under sub-section (1) of Section 19 or the Central Information Commission or the State Information Commission, as the case may be, time limit, process and any other form of access.

Time limit for providing information:

- If the request has been made to the PIO, time limit to furnish the information is within 30 days.

- If the request has been made to an APIO, time limit to furnish the information is within 35 days.
- If the PIO transfers the request to "some other department (better concerned with the information requested), the time allowed is 35 days.
- Where an application for information or appeal is given to a CAPIO or a SAPIO, as the case maybe, a period of five days shall be added in computing the period for response specified under sub-section (1) of Section 7.
- Information about Human Rights violations by Security agencies have to be provided within 45 days with: the prior approval of the Central Information Commission.
- However, in any of the above cases, if life or liberty is involved, the PIO has to comply within 48 hours.
- Exclusion of time: Since the information is to be paid for, the time between the reply of the PIO and the time takes to deposit the further fees for information is excluded from the time allowed.
- Information not provided in stipulated time will be treated as refusal: If information is not provided within this period, it is treated as a refusal. Refusal with or without reasons may be a ground for appeal. The Patna High Court held that before expiry of 30 days from date of information was sought; petitioner was already transferred from post of PIO and he no longer held that post, show because notice was addressed to petitioner with wrong description of post held. Notices thus remain unreasoned, yet penalty was imposed. It was held by the Court that imposition of penalty was improper in the given circumstances.

The following table shows the maximum time which may be taken to dispose of the applications in different situations:

Table 1 : Dispose of the Applications in Different Situations

| S. N. | Situation | Limit for disposing of applications |
|-------|---|---|
| 1. | Supply of information in normal course. | 30 days |
| 2. | Supply of information if it concerns the life | 48 hours |
| 3. | Supply of information if the application is received through APIO: | 05 days shall be added to the time period indicated at Sr. No. 1 and 2. |
| 4. | Supply of information if the application and request is received after transfer from another public authority: (a) In normal course (b) In case the information concerns the life or liberty of a person. | (a) Within 30 days of the receipt of the application by the concerned public authority, (b) Within 48 hours of receipt of the application by the concerned public authority |
| 5. | Supply of information by organizations specified in the Second Schedule: (a) If information relates to allegations of violation of human | (a) 45 days from the receipt of application. |

Maharashtra Freedom of Information Act, 2002:

The Maharashtra Freedom of Information Act, 2002 brings not only Government and semi-Government bodies within its purview but also State public sector units, co-operatives, registered societies (including educational institutions) and public trusts.

It provides that Public Information Officers (PIOs) who fail to perform their duties may be fined up to Rs. 250 for each day's delay in furnishing information. Where an information officer has willfully provided incorrect and misleading information or information that is incomplete.

The appellate authority hearing the matter may impose a fine of up to Rs. 2,000. The Information Officer (IO) concerned may also be subject to internal disciplinary action. The Act even provides for the setting up of a council to monitor the workings of the Act.

The council shall be comprised of senior members of government, members of the press and representatives of NGOs. They are to review the functioning of the Act at least once every six months. Exclusion clauses have been reduced to barely ten.

The Freedom of Information Act, 2002:

The reform of right to information at central level speeds up in at the end of 20th century, while Hon'ble Supreme Court issued directions to protect voters' right to know antecedents of candidates.

It is implemented the Supreme Court directions the Freedom of Information Act,

2002 was drafted along with third amendments to the Representation of the People Act, 1951.

This Act was severely criticised for permitting too many exemptions. It is only under the standard grounds of national security and sovereignty, but also for requests that would involve disproportionate diversion of the resources of a public authority.

There was no upper limit on the charges that could be levied. There were no penalties for not complying with a request for information.

The said amendment was challenged and contended that some of the directions issued by the Supreme Court were incorporated by the statutory provisions but with regard to the remaining directions in Section 33b.

It was provided that no candidate would be liable to disclose or furnish any such information in respect of his election which is not required to be disclosed or furnished under the Act or the Rules made under, despite the directions issued by the Supreme Court.

Thus, the validity of Section 33b was challenged on the ground that it violates the fundamental rights of the citizens and voters declared and recognised by the Supreme Court in Association for Democratic Reform. A three-judge Bench of the Supreme Court:

- (a) Section 33b is, on the face of it, beyond legislative competence and, being violation of Article 19(1)(a) of the Constitution, is illegal, therefore, it is null and void. A voter, being first citizen of country, has a fundamental right under Article 19 (1) (a) to know antecedents of a candidate and said right is independent of any statutory right under election law.
- (b) Legislature can remove basis of decision rendered by Competent Court under Article 141, thereby rendering that decision ineffective but Legislature has no power to ask instrumentalities of State to disobey or disregard decisions given by Court.

Right to disclosure of information under other legislations:

The various Indian laws provide for the right to access information in specific contexts. Section 76 of the Indian Evidence Act, 1872, contains what has been termed a Freedom of Information Act in embryonic form.

This provision requires public officials to provide copies of public documents to anyone who has a right to inspect them. The Factories Act, 1948 provides for compulsory disclosure of information to factory workers regarding danger including health hazards and the measures to overcome such hazards, arising from their exposure to dangerous materials. While this is an excellent provision, in practice it is violated with impunity.

The Environment (Protection) Act, 1986 and the Environmental Impact Assessment Regulations (EIAR) provide for public consultation and disclosure in various circumstances.

The Environmental Impact Assessment Regulations (EIAR) allow for a procedure for public hearings and publication of the executive summary of any proposal for any project affecting the environment by the person seeking to execute that project.

Although this provision is meant to facilitate citizen input, in fact, it is too limited and environmental groups have had to go to the courts to get more complete disclosure. Regardless of these provisions.

The system of governance in India has traditionally been opaque, with the State retaining the colonial Official Secrets Act and continuing to operate in secrecy at the administrative level.

The Official Secrets Act enacted in 1923 still retains its original form, apart from some minor amendments in 1967. These provisions have been roundly criticised.

The Central Civil Service Conduct Rules, (CCSCR) 1964 bolster the provisions of the Official Secrets Act by prohibiting Government servants from communicating any official document to anyone without authorisation.

Section 123 of the Indian Evidence Act, 1872 also prohibits the giving of evidence from unpublished official records without the permission of the head of the relevant department, who is free to grant or to withhold such permission as he or she sees fit.

The poor flow of information is compounded by two factors, namely, low levels of literacy and the absence of effective communication tools and processes.

In many regions, the standard of record-keeping is extremely poor. Most Government offices have stacks of dusty files everywhere providing easy excuses for refusing access to records on the specious excuse that they have been misplaced.

The rapid growth of information technology, on the other hand, has meant that most States in the country are now trying to promote technology, primarily to attract investment, and this is indirectly contributing to an improved flow of information.

The campaign for the right to information. Objections to the Official Secrets Act have been raised ever since 1948, when the Press Laws Enquiry Committee recommended certain amendments. In 1977, a Working Group was formed by the Government to look into the possibilities of amending the Official Secrets Act 1923.

Unfortunately, the Working Group did not recommend changes, as it felt the Act related to the protection of national safety and did not prevent the release of information in the public interest despite overwhelming evidence to the contrary.

In 1989 a Committee was set up which recommended limiting the areas where Government information could be hidden and opening up of all other spheres of information. But no legislation followed from these recommendations.

In the last decade of 20th century, citizens' groups have started demanding the outright repeal of the Official Secrets Act and its replacement by legislation making the duty to disclose the norm and secrecy the exception.

Interestingly, in India, the movement for the right to information has been as vibrant in the hearts of marginalised people as it is in the pages of academic journals and in the media.

This is not surprising since food security, shelter, environment, employment and other survival needs are inextricably linked to the right to information.

The National Campaign for People's Right to Information (NCPRI) formed in the late 1990s became a broad-based platform for action. As the campaign gathered momentum, it became clear that the right to information had to be legally enforceable.

The Press Council of India drew up the first major draft legislation on the right to information in 1996. The draft affirmed the right of every citizen to information from any public body.

Significantly, the term public body included not only the State, but also all privately-owned undertakings, non-statutory authorities, companies and other bodies whose activities affect the public interest. Information that cannot be denied to Parliament or State Legislatures cannot be denied to a citizen either.

The draft provided for penalty clauses for defaulting authorities. It is next came the Consumer Education Research Council (CERC) draft, by far the most detailed proposed freedom of information legislation in India. In line with international standards, it gave the right to information to anyone.

It has required public agencies at the federal and state levels to maintain their records in good order, to provide a directory of all records under their control, to promote the computerisation of records in interconnected networks.

It is publish all laws, regulations, guidelines, circulars related to or issued by Government departments and any information concerning welfare schemes.

The draft provided for the outright repeal of the Official Secrets Act, 1923. This draft didn't make it through Parliament either. Finally, in 1997, a conference of Chief Ministers resolved that the Central and State Governments would work together on transparency and the right to information.

The Centre agreed to take immediate steps, in consultation with the States, to introduce freedom of information legislation, along with amendments to the Official Secrets Act, 1923 and the Indian Evidence Act, before the end of 1997.

The Central and State Governments also agreed to a number of other measures to promote openness. These included establishing accessible computerised information centre to provide information to the public on essential services, and speeding up ongoing efforts to computerise Government operations.

In this process, particular attention would be placed on computerisation of records of particular importance to the people such as land records, passports, investigation of offences, administration of justice, tax collection, and the issue of permits and licences.

In 1997, two States had passed Right to Information Legislation (Tamil Nadu and Goa) and the Government of India appointed a working group, headed by former bureaucrat and consumer rights, activist Mr. H.D. Shourie to draft what was reworked into the Freedom of Information Bill, 2000.

This Bill includes some provisions that were not in the Shourie draft, such as the requirement that urgent requests in cases involving life and liberty should get a response within 48 hours. However, the Act has been criticised on several grounds.

It provides for information on demand, so to speak, but does not sufficiently stress information on matters related to food, water, environment and other survival needs that must be given pro-actively and suo moto, by public authorities.

The most scathing indictment of the Bill has come from critics who focus on the sweeping exemptions it permits. Restrictions on information relating to security, foreign policy, defence, law enforcement and public safety are standard.

The Freedom of Information Bill excludes Cabinet papers, including records of the Council of Ministers, secretaries and other officials, which effectively shields the whole process of decision-making from mandatory disclosure.

The Bill provides for a fee to access information, but without specifying what the minimum and maximum amounts would be the most important, there was no mechanism to punish delay or refusal to grant information.

There was no compelling reason for the official concerned to provide answers. Instead, the law provides for two internal appeals within the Government machinery and, in addition, blocks access to civil courts.

It is despite all these shortcomings, legislation 'guaranteeing the right to information is a major step towards ensuring a participatory developmental process in the country. The law is truly effective. It will need the active participation of the community at large. It is including Non-Government Organisations and the press. It will need to simplify and disseminate the possibilities under the new law to citizens.

The new law could be the tentative beginnings of a more inclusive development process, Amartya Sen, The Noble Laureate describes as a momentous engagement with the possibilities of freedom. The Parliament had enacted the Freedom of Information Act, 2002.

It was considered weak and to ensure greater and more effective access to information, the need was felt to make it more progressive, participatory and meaningful.

It was decided to repeal the 2002 Act and legislation was proposed to provide an effective framework for effectuating the right of information recognized under Article 19 of the Constitution of India.

Introduction of the Right to Information Act – 2005:

The doomed Freedom of information Act led to sustained pressure for a better National Right to Information Act. The first draft of the Right to Information Bill was presented to Parliament on 22nd December, 2004.

It is intense debate more than a hundred amendments to the draft Bill were made between December, 2004 and 15th June, 2005, when the bill finally passed.

The Right to Information Act, 2005 (Act No. 22 of 2005) is a law enacted by the Parliament of India giving its citizens access to Government records.

The Act applies to all States and Union Territories of India, except the State of Jammu and Kashmir (J&K). Under the terms of the Act, any person may request information from a public authority a body of Government or instrumentality of State) which is required to reply expeditiously or within thirty days.

The Act also requires every public authority to computerise their records for wide dissemination and to proactively publish certain categories of information so that the citizens need minimum recourse to request for information formally. This law was passed by Parliament on the date 15th June, 2005 and came fully into force on the date 13th October, 2005.

The right to Information disclosure in India was hitherto restricted by the Official Secrets & Act, 1923 and various other special laws, which the new RTI Act now relaxes. The right to information is very important act for the global purpose. The whole society has converted the modern context for different act and rules.